



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 27, 2024

VIA ECF AND ELECTRONIC MAIL

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *United States v. Daniel Wälchli, 20 Cr. 497 (GHW)*

Dear Judge Woods:

The Government respectfully submits this letter in accordance with the Court's procedure regarding redactions of sensitive information and to request that the Court seal the unredacted Sentencing Memorandum that was submitted yesterday evening, so that a redacted version of the memo can be filed as the publicly available document.

Defendant Daniel Wälchli is scheduled to be sentenced on Tuesday, April 2, at 10:00 a.m. In accordance with the Court's scheduling order, the Government submitted its sentencing memorandum and exhibits yesterday evening. Although certain of the exhibits were redacted, the sentencing memorandum that was filed inadvertently was not.

In accordance with SDNY ECF Filing Rule 21.8(b), this morning we requested that the ECF desk temporarily seal the Sentencing Memorandum, which has been done. The rule further requires that we make a formal application to seal the original version of the memorandum that was docketed at No. 105 and which is now under temporary seal. By this letter motion, we ask that the Sentencing Memorandum found at Docket No. 105 be formally sealed.

We further request approval to file a redacted version that the Government proposes to use to replace the unredacted publicly filed version, which we will provide to Chambers via email. The redactions found in the Sentencing Memorandum, with two exceptions, qualify as sensitive information that, per Your Honor's local rules, may be redacted without the Court's approval. *See* Govt. Redacted Sent. Mem. at 3, 4, 21, 30 and 31. The two exceptions are an unindicted individual's name found on page 3 and the location where co-defendant Bernhard Lampert was arrested, on page 4 n.1, which the parties have previously treated as sensitive information.

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In addition, we filed redacted exhibits whose redactions require the approval of the Court, pursuant to Rule 7(c)(ii) of Your Honor's local rules for criminal cases. In each instance, the redacted information comprises the names and/or email addresses of unindicted individuals, whose privacy and reputation interests are implicated, and in some instances their personal contact information. We have filed the redacted versions of those exhibits, also docketed at Dkt. No. 105, but will re-file unredacted versions should the Court so direct.

Two courtesy copies of both the redacted and unredacted versions of the Government's sentencing submission will be delivered to Chambers.

Thank you for your consideration of this request.

Respectfully submitted,

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